

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KATHLEEN HICKEY,

Plaintiff.

v.

THOMAS MCGINLEY,
KAREN MERRITT-SCULLY,
MICHAEL MOCLOCK, M.D.
KEVIN MEITZLER, R.N.,
DENISE AUSTEEL, R.N.,
BRIAN DAVIS, PA-C,
RENEE KERR, L.P.N.,

Defendants.

No. 4:18-CV-01793

(Judge Brann)

ORDER

DECEMBER 17, 2018

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that Michael Moclock's Motion to Dismiss, ECF No. 4, is **GRANTED** as follows:

1. Plaintiff's claim for punitive damages against Dr. Moclock are **DISMISSED WITHOUT PREJUDICE.**
2. Plaintiff's Eighth Amendment claim against Dr. Moclock, ECF No. 1 ¶¶ 172-215, is **DISMISSED WITHOUT PREJUDICE.**
3. Within seven (7) days of the date of this Order, Plaintiff may file an amended complaint to correct the deficiencies identified in the

accompanying Memorandum Opinion. If Plaintiff fails to file an amended complaint, Defendant's Answer is due no later than twenty-one (21) days from the date of this Order.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge